

REMARKS

Prior to entry of this paper, Claims 1-3, 8, 11-13, 15-16, 21, 26 and 35-39 were pending. Claims 1-3, 8, 11-13, 15-16, 21, 26 and 35-39 were rejected. In this paper, Claims 1, 15, 16, 21 and 26, 35 and 36 are amended, and no claims are cancelled or added. After entry of the instant amendment, Claims 1-3, 8, 11-13, 15-16, 21, 26 and 35-39 will be pending. No new matter is added by way of this amendment. And for at least the following reasons, each of these pending claims is now in condition for allowance.

Claim Rejections under 35 U.S.C. §103

Claims 1-2, 8, 11-13, 15-16, 21, 26 and 35-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Okabe et al. (U.S. Patent No. 6,572,475) (hereinafter “Okabe”) in view of Cascone et al. (U.S. Patent No. 6,959,094) (hereinafter “Cascone”) and further in view of Chace (U.S. Patent No. 4,792,974) (hereinafter “Chace”). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Okabe, Cascone and Chace and further in view of Nakagawa (U.S Patent No. 6,760,050 B1) (hereinafter “Nakagawa”).

As amended Claim 1, now teaches determining if a fast moving object is currently moving fast through a scene in a virtual environment based on at least one of position, distance and direction for the object in regard to a point of view in the scene. And based on that determination, providing pre-recorded spatial sound data in at least two channels of a single audio file associated with the determined object moving through the scene. The pre-recorded spatial sound data includes at least spatial approaching sound data recorded in a first channel of the audio file and spatial retreating sound data recorded in a second channel of the audio file. And consecutively playing the pre-recorded spatial sound data in each the at least two channels of the audio file associated with the object as it moves past the point of view in the scene. The consecutive playing of the pre-recorded spatial sound data simulates approaching and retreating sound associated with the object moving past the point of view in the scene. A basis for the current amendment can be found at least at Figures 5, 6, 8 and 9, and pages 14-17 of the specification.

In contrast, Okabe teaches providing spatial sound data based on a determined three dimensional virtual game space associated with an object. Also, Okabe appears to teach that

different types of sound effects are associated with different objects such as the sound of an engine. And none of the suggested prior art references cure the defects of Okabe. For example, Cascone discloses processing sound to reduce memory storage by the use of mixers and equalizers. And Chace discloses employing a stereo effect to generate more realistic sound effects. Clearly, none of the cited prior art references teaches or suggests the novel aspects of the claimed invention as now taught by amended Claim 1. Thus, amended Claim 1 is non-obvious and allowable in view of the suggested prior art references, either singly, or in combination.

Additionally, since independent Claims 15, 16, 21, and 26 are somewhat similar to and are amended in relatively the same way as amended Claim 1, amended Claims 15, 16, 21, and 28 are now in condition for allowance for substantially the same reasons as amended Claim 1.

Also, dependent Claims 35 and 36 are amended to correct informalities caused by the instant amendment to their respective corresponding independent claims.

Furthermore, since dependent claims 2-3, 8, 11-13, and 35-39 depend on amended independent claims that are now allowable, these dependent claims are also allowable for at least the same reasons.

Moreover, since the instant amendment has rendered the current rejections of all of the claims moot, in the interest of brevity and expediting the allowance of this application, a detailed discussion as to the now inapplicable nature of the cited references is not included at this time.

CONCLUSION

It is respectfully submitted that each of the presently pending claims is in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicant's representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

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Respectfully submitted,

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